

Order

Michigan Supreme Court
Lansing, Michigan

October 5, 2018

Stephen J. Markman,
Chief Justice

157366

Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Kurtis T. Wilder
Elizabeth T. Clement,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 157366
COA: 341825
Jackson CC: 15-005438-FH

KEITH LAVONNE McLEAIN,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the February 8, 2018 order of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration, as on leave granted, of whether the trial court properly applied MCL 333.7413(1). See *People v Lowe*, 484 Mich 718 (2009). In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining question presented should be reviewed by this Court.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 5, 2018

Clerk